

KEA VOTING STANDING RULES

NOMINATIONS AND ELECTIONS

A. Voting Committee & Voting Standing Rules

1. There shall be a Voting Committee.
2. The Voting Committee and Chairperson shall be appointed by the president and approved by the Executive Board to which it is responsible at the beginning of each school year.
3. The Committee should be composed of KEA members from different sites, each of whom are not on the Executive Board and are familiar with the unit's (KEA's) operations. The committee should have at least 3 members.
4. The Voting Committee is charged with ensuring that the KEA's voting activities are conducted in a fair and impartial manner and these standing rules are followed.
5. These standing rules describe how all voting should take place in the unit. There are 3 types of voting: Election of KEA Officers (Section J), Election of Site Representatives (Section R), and general voting on issues.
6. Any Association member who is either a candidate on the ballot or whose immediate family member is a candidate shall abstain from all voting committee activities on that particular ballot.

B. Timeline of Voting

1. Sites will elect site representatives during the first month of school. Officers will be elected in May.
2. Schools/work sites on alternative calendars shall be considered when setting voting timelines.
3. The timeline for voting shall include dates for:
 - a. Announcement via email that will ensure each member is aware of the opportunity to file a declaration of candidacy (for elections);
 - b. At least fourteen (14) calendar days between the announcement date of the vacancy(ies) and the date of the election;
 - c. Place, time and date of receipt (date received) for declaration of candidacy/nominations at least 5 calendar days before election)
 - d. Date on which ballots will be available (commencement of voting period);
 - e. Date(s) when voting will take place;
 - f. Deadline date time and place for return of ballots;
 - g. Date, time and place where ballots will be counted, which should be immediately following the deadline for receipt of voted ballots;
 - h. Date that announcement of results shall be made via email to all unit members, which shall be not later than five (5) calendar days following the counting of ballots;
 - i. The deadline for filing of challenges to a vote is 10 calendar days after announcement of voting results.
4. If necessary, dates and timelines for a run-off election will follow the directions above.

C. Announcement of Voting

1. The announcement of voting shall include the offices and length of terms (for elections), or the exact wording of the proposition (for non-election voting), and the voting timeline.

2. The announcement shall be publicized by email, with an announcement going to each email address on the unit's roster.
3. There shall be at least a fourteen (14) calendar day period between notice of election and the actual voting.

D. Ballot

1. For a KEA Officer Election: The names of the candidates shall be printed on the ballot in alphabetical order. When a candidate's last name is hyphenated, the name before the hyphen shall be used for placement on the ballot.

In the event that the last name of more than one candidate begins with the same letter or more than one candidate has the same last name, the alphabetical order shall continue to be applied throughout the name including the first name.

2. For a KEA Officer Election: The ballot shall state the name of the office/position, the term, and the names of the candidates.
3. For a KEA Officer Election, except in run-off elections: The ballot shall include space for a write-in candidate.
4. The ballot shall not ask for any personal information of the voter, including name.
5. The ballot will not contain or ask the voter to submit any site information.
6. The ballot will be produced on deeply colored paper (so official ballots cannot simply be photocopied).
7. Every Active member shall be assured of voting by way of secret ballot.

E. Distribution of Ballots and Methods of Voting

1. A ballot will be available for each member at his/her voting site (most likely the member's primary site of employment). All members shall be notified by email in order to provide them an opportunity to vote.
2. Voting shall be by one or a combination of the following methods: (method used by KEA, unless announced otherwise in the initial voting announcement, will be "On Site Voting")

a. At School/Work Site - Using designated members responsible for voting at each site.

1) On Site Voting –

- a) Each voter must sign or initial the site's voter roster sheet before receiving a ballot.

Voter Roster: List of eligible voters, which includes a place for an initial or signature.

- b) The marked ballot must be returned to a designated member who is responsible for voting at the site.
- c) The designated member at the site must return all voter roster/sign-up sheets and ballots to the Voting Committee by the designated date and time. Ballots must be secured and uncounted. Voting roster sheets and ballots from each site must be kept together until verified by at least 3 members of the Voting Committee.

d) No counts shall be completed at individual sites.

e) Refer to Section I for the Counting of Ballots procedures.

2) Voting - Using Envelopes

When voting is conducted using envelopes, the procedure shall be as follows:

- a) A list of current Active members shall be prepared, which includes each member's name and site.

b) Each voter shall be provided with the following:

- (1) A ballot;
 - (2) Instructions on:
 - (a) Folding and placing of the ballot in the unsigned inner envelope;
 - (b) Placing of the unsigned inner envelope into the outer envelope;
 - (c) Signature and school on the outer envelope addressed to the chapter; and
 - (d) Deadline date for receipt of the voted ballot at the chapter mail location.
 - (3) A small envelope (inner envelope) in which to place the voted ballot; and
 - (4) A larger envelope (outer envelope) to be addressed to the chapter, on which the voter prints and signs his/her name.
- c) At the time of counting of the ballots, the names on the outer envelope shall be checked against the official list of voters. The name on the official list shall be marked to show that the voter has returned a ballot.
 - d) The outer envelope shall then be opened and put in a separate stack for safekeeping as a record of voters.
 - e) All inner envelopes shall be placed in a separate receptacle.
 - f) The inner envelopes shall be slit and the ballots removed from the envelopes, stacked and then counted.
 - g) Refer to Section I for the "Counting of Ballots" procedure.

F. Vote Requirement

All vote requirements shall be established in accordance with CTA guidelines. Unless otherwise specified, all elections shall be decided by majority vote. Votes for write-in candidates are valid and must be counted.

- 1. A majority vote means more than half of the legal votes cast for a candidate or issue.
- 2. A plurality vote means the largest number of legal votes cast for a candidate or issue.
- 3. A two-thirds (2/3) vote means at least two thirds (2/3) of the legal votes cast,
- 4. For KEA Officers, the election will be by majority.
- 5. For State Council¹: The election will be by majority vote and will follow the requirements set forth in the *CTA Elections Manual*. (See the *Election Timelines, Procedures, and Guidelines in Sections IV-9.2 and IV-9.3 of the CTA Elections Manual*)
 - a. If a unit is a single electoral district, the election for State Council Representative will be counted and reported by the chapter elections committee.
 - b. If the unit is within a multiple unit electoral district, the chapter returns the chapter tally sheet, voted ballots, and voter roster/sign-up sheets to Service Center Council Elections Committee by deadline date. A minimum of two (2) signatures will be required to validate the tally report.
- 6. If no candidate receives a majority vote, a run-off election shall be conducted among the candidates receiving the highest number of votes. The names on the ballot will be one (1) more than the number of vacancies to be filled. There shall be no provisions for write-in candidates in run-off elections.
- 7. For NEA Local Delegates, the election will be by plurality vote.
- 8. An election for NEA Delegates may be waived and the candidate(s) declared elected if, following a period of open nominations, the number of candidates is equal to or less than the number of delegate

positions to be filled. An affiliate utilizing this provision must have adopted a governing provision or election policy allowing such a practice. This election practice will not generate successor delegates unless the nomination process requires candidates for both regular and successor delegate positions.

9. For NEA State Delegates, the election will be overseen by the Service Center Council. The local Elections Committee shall submit to the Service Center Council the official CTA/NEA state delegate election Teller's Report, ballots, Tally Sheets and signature sheets/rosters. The Service Center Council will forward the results to CTA.
10. For additional CTA/NEA election guidelines refer to the official *CTA Elections Manual*.

I. Counting of Ballots

1. The Voting Committee shall verify that the number of voters indicated on the Voter Rosters equal the number of ballots received, then count the ballots. This should be completed immediately following the deadline for receipt of ballots.
2. Each position on the ballot shall be treated as a separate race.
3. Blank and/or illegal ballots for each office/issue shall be set aside. Examples include the following:
 - a. Member not listed on the voter roster;
 - b. Voter's intent unclear;
 - c. Votes cast for more than the number allowed;
 - d. Votes cast on unofficial ballot (probably reproduced); and
 - e. Candidate is not a member.
 - f. Ballot is received after the deadline.
4. The Voting Committee should categorize each illegal ballot, make a determination of whether the vote(s) in that category should be counted separately, as listed in four (4) above, and make a note of the decision. The ballots should remain separate. In general, invalid votes for a position or issue are not counted, while valid votes cast for a position or issue are counted.
5. After verification of signatures, ballots shall no longer be separated by site.
6. The Chairperson of the Voting Committee will deliver the report of the election results to the president and interested parties. The election results shall be emailed to membership no later than five (5) calendar days following the counting of the ballots.
7. The ballots and voter sign-up sheets should be retained by the unit for one (1) year after the election.

J. Election of KEA Officers

1. The chapter shall ensure that an open nomination procedure is in place (i.e., any member may nominate any member, including himself or herself). The only qualification for office shall be Active membership in the chapter.
2. A designated member (typically a member of the Voting Committee) at each site will get a current list of members who will vote at that site (a 'site voting roster') and a number of ballots that equal the number of members on that 'site voting roster'. These ballots and voting roster will be prepared and distributed by the secretary of KEA.
3. The chapter shall provide means for all Active members to vote, and it shall be the responsibility of the member to notify the chapter (via an Executive Board Officer) if s/he desires a ballot at any place other than the member's regularly scheduled voting site, as indicated as the member's primary site of employment on KEA's member list.

4. An Active member shall acknowledge receipt of a ballot by signature or initial on the voting roster at time of acceptance of the ballot.

K. Finances and Use of Unit Resources

1. Chapter monies received through dues, assessment or similar levy shall not be used to promote any candidate.
2. A candidate may not accept direct contributions from a chapter's treasury or indirect contributions in the form of use of a chapter's assets, facilities, staff, equipment, mailings, good will and credit.
3. A unit may not state or indicate its preference for a candidate in the unit's publications.
4. The use of links to any Association website by a candidate is prohibited.
5. Candidates cannot campaign on any chapter, Service Center Council, UniServ or district created social networking site.
6. District email addresses and/or systems shall not be used for campaigning. (if a member lists his/her email address as a district address, it may be used)
7. The official logo of the unit or official Association title may not be used in a way that suggests that the candidate has the support of the unit, CTA, or any of its affiliates. This prohibition includes candidate email addresses.

L. Candidate's Rights

1. Privileges extended to one candidate shall be extended to all candidates.
2. Each candidate shall have the right to a list of the name and address of work sites and the number of Active members at each site for the purposes of campaigning.

M. Observers

1. Each candidate shall be allowed to have one (1) observer, who may be the candidate, at the vote counting site and shall give the name of the observer to the Elections Committee before counting
2. An observer shall not interfere with the counting and shall stay in the counting area until the President or designee has been notified of the results and has notified each candidate of the results.

N. Challenge Procedure

1. A challenge cannot be initiated until after the results of the voting have been posted.
2. Challenges for election of State Council Representatives, Alternates, State, and Local delegates to NEA RA follow procedures in the *CTA Elections Manual*.
3. The challenging party(ies) must notify the unit president and Voting chair of a challenge in writing within ten (10) calendar days after the announcement of the results of the vote. If the unit president is a candidate on the ballot, please see item number five (5).

The notification must be on the official Challenge Form. (Attached)

4. Upon receipt of the challenge, the Voting Committee will notify all the candidates in the election being challenged that a challenge has been filed. Within ten (10) calendar days after receipt of the challenge, the unit's Voting Committee shall, in accordance with the unit's bylaws and standing rules, conduct an investigation and determine whether or not the challenge indicates that there was a violation of the unit's election requirement(s).

- a. Within the same ten (10) calendar day period, the unit's Voting Committee shall submit a written report including issues and recommendations to the Chapter President and the Executive Board. This report will be emailed to the membership. The names of challengers and challenge forms shall remain confidential.
5. Any member of the Executive Board who was a candidate in a race that is challenged, or whose immediate family member is such a candidate, shall recuse themselves from discussion and voting on the challenge. If in the case where at least 2 members of the Executive Board are unable to act on the challenge the decision shall move to the Representative Council.
6. The Executive Board shall act on the report no later than ten (10) calendar days following receipt of the written report of the elections committee in accordance with CTA Challenge Procedures as described in the CTA Challenge Procedures – Local/Service Center Council Elections of *CTA Elections Manual*. The names of challengers and challenge forms shall remain confidential. The Executive Board must issue its decisions in via email to the membership.
7. If the Executive Board fails to act within ten (10) calendar days of the initial challenge, the individual may file an appeal as described below by writing to the CTA President.
8. If the challenging party(ies) wish(es) to appeal the decision of the unit's governance body, he/she may file an appeal in writing to the CTA President within ten (10) calendar days from the date of the decision of the governance body. The appeal shall be the original challenge filed at the unit level, and additionally shall include the unit's Voting Committee report and the Executive Board's decision.
9. The challenge procedure for election of State Council Representatives and Alternates, and State or Local Delegates to the NEA Representative Assembly is outlined in the *CTA Elections Manual*.

O. Initiative Procedures

1. The Active membership shall have the authority to make decisions on any matters affecting the Association or its activities through the initiative process.
2. An Active member shall file a notice of the intent to circulate a petition with the chapter president by including a copy of the petition to be circulated, and the names of at least three (3) persons supporting the proposed measure and responsible for its circulation.
3. The chapter president shall register the receipt of the notice of the intent to circulate, and acknowledge such registration in writing with the member filing the notice.
4. The timeline for gathering signatures will commence the day that the notice of intent is registered. A maximum of fifteen (15) calendar days shall be permitted to obtain the signatures of at least sixty percent (60%) or more of the Active members of the chapter. The petition shall contain the question proposed to be placed on the ballot.
5. The circulators shall present to the chapter president the petition(s) containing original signatures.
6. The chapter president shall have fifteen (15) calendar days in which to verify the membership of the signers of the petition.
7. If there are insufficient signatures, the petition circulator will be notified within three (3) calendar days that the petition failed for a lack of signatures.
8. The chapter president shall cause a ballot to be furnished to the members no less than fifteen (15) calendar days after verification of membership, provided that the period that school is officially not in session shall not be included in this count.
9. Regular voting procedures shall be followed.
10. The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified.

P. Referendum Procedures

1. Any action or proposed action of the Representative Council or the Executive Board shall be referred to a vote of the membership upon two-thirds (2/3) vote of the referring body at any valid meeting. (e.g. the Rep. Council, instead of voting on a stance or action, may, by a 2/3 vote of the Rep. Council, refer the vote to the membership).
2. The referendum action shall prescribe the exact wording of the question to be posed to the Active membership on the ballot.
3. The chapter president shall cause a ballot to be furnished to the Active members no less than fifteen (15) calendar days after action by the referring body, provided that the period that school is officially not in session shall not be included in this count.
4. Regular election procedures (e.g., election of officers) shall be followed including voting times.
5. The proposal shall take effect immediately upon receipt of the required number of votes, unless otherwise specified.
6. It is required that every alteration (except 1-year M.O.U.s) to the contract between the KUSD and KEA be referred to the membership for a vote.

Q. Recall Procedures

1. The Active membership shall have the authority to recall from office any person or persons having been elected thereto by the chapter's Active members.
2. Any Active member(s) desiring to recall a unit officer or other elected office holder must file a copy of a petition with the chairperson of the Voting Committee before it can be circulated.
3. The petition must include the following information:
 - a. Name of individual who is the subject of the recall;
 - b. Office of individual;
 - c. Date of petition;
 - d. Name(s) of person(s) filing petition;
 - e. Notation that "Each signature must be in ink"; and
 - f. Space must be provided for the printed name, signature, work site and date of signing for each name on the petition.
4. Within ten (10) calendar days after receipt, the chairperson of the Voting Committee shall determine whether the petition contains the necessary information.
 - a. If the petition does not contain the necessary information, the Chairperson of the Voting Committee shall so notify the petitioner(s). *(See number two (2) above.)*
 - b. If the petition contains the necessary information, the Chairperson of the Voting Committee shall inform the petitioner(s) of the rules, procedures and timeline (beginning date and deadline for gathering of signatures), and the need for protection of due process rights of the parties.
 - c. The Chairperson of the Voting Committee shall send written notification to the unit officer whose recall is being proposed and shall also notify the other officers of the unit. A copy of the petition shall be enclosed.
5. Monies from a unit's treasury or indirect contributions in the form of use of a unit's assets, facilities, staff, equipment, mailings, good will and credit, or in-kind services must not be used in the recall process.
6. No unit may state or indicate its preference in the unit's newspaper, newsletter or communications to its members.
7. The timeline for gathering of signatures will commence the day that the notice of intent is registered.

8. A maximum of sixty (60) calendar days shall be permitted to obtain the signatures of at least thirty-three percent (33%) of the Active members of the chapter.
9. The signed petitions must be received by the chairperson of the Voting Committee by the specified deadline date.
10. The Voting Committee shall have ten (10) calendar days after receipt of the petition to verify signatures.
11. If there are insufficient signatures, the chairperson of the Voting Committee shall notify the petition circulator(s) by mail within five (5) calendar days of verifying the signatures that the petition failed for a lack of signatures.
12. If there is a sufficient number of signatures, then immediately upon verification of the signatures, the chairperson of the Voting Committee shall notify the president/designee of the fact that a recall has been initiated.
13. The chapter President, or the chapter Vice-President if the chapter President is the person being recalled, shall cause a ballot to be furnished to Active members no less than fifteen (15) calendar days after verification of signatures. The period that school is officially not in session shall not be included in this count.
14. Each person named in the recall position shall have the right to make a rebuttal statement which shall be distributed via email to the membership at least 3 days before the recall election.
15. Regular voting procedures shall be followed.

R. Election of Site Representatives

1. Site representatives are elected by the members of the site they represent. They are elected during the first month of school, before the first Representative Council meeting.
 - a. Members at a site will be notified at least 5 calendar days before the site members elect site representatives.
 - b. A member (preferably a member of the Voting Committee) shall be given the official site ballot and be in charge of the site's election, collecting and presenting nominations, and reporting of results.
 - c. Nominations for site representatives will be accepted until the vote takes place. (There is no deadline)
 - d. To prepare for a vote: The names of those nominated are clearly presented, each member in attendance is given an official site ballot and told the number of open positions. (The By-Laws define the number of site representatives per site)
 - e. Each member, by writing name(s) on his or her ballot, casts vote(s) for site representative(s). The number of votes cast per member shall be equal to the number of open positions
 - f. The ballots are collected, counted to be sure there is one ballot for each member present, then, without leaving the room, the ballots are counted and the result(s) announced.
 - g. The designated member then reports these results to the chapter president.
 - h. To be eligible to be elected a site's representative, the member must be employed at that site.
 - i. The chapter shall ensure that an open nomination procedure is in place (i.e., any member may nominate any member, including himself or herself). The only qualification for office shall be Active membership in the chapter.